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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL BRECHT,

Case No. 2:05-CV-00859-KJM

Plaintiff,

ORDER OF DISMISSAL

vs.

BNSF RAILWAY COMPANY, f/k/a THE
BURLINGTON NORTHERN SANTA
FE RAILWAY COMPANY, a Delaware
corporation,

Defendants.

BNSF RAILWAY COMPANY, a
Delaware corporation,

Third Party Plaintiff,

Date Action Filed:
Trial Date:

May 2, 2005
Feb. 5, 2007

vs.

HARSCO CORPORATION, a Delaware
corporation,

Third Party Defendant.

This matter having come before the court upon the parties' Stipulation of

Dismissal, it is hereby ORDERED that as provided by Rule 41 of the Federal Rules of

Civil Procedure, this action in its entirety is hereby **DISMISSED WITH PREJUDICE**,
each party to bear its own costs.

DATED: September 28, 2006.


UNITED STATES MAGISTRATE JUDGE

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Barry Ubaldi
McPherson &
Flesher LLP